

**In the United States District Court  
For the Southern District of West Virginia  
Huntington (Division 3)**

**MARY DURSTEIN,**

**Plaintiff,**

**V.**

**TODD ALEXANDER, et al.,**

## Defendants.

Plaintiff Mary Durstein hereby moves for leave under Rule 15 of the Federal Rules of Civil Procedure to file her supplemental complaint, a copy of which accompanies this motion.

Should the Court deem some portion of the proposed Supplemental Complaint to function as a proposed amended complaint, Durstein moves under Rule 15 to allow the Supplemental Complaint to include it.

The grounds for this motion are explained in the accompanying memorandum in support, which is incorporated here by reference.

Respectfully submitted,

/s Michael S. Bailey

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*Of Counsel for Mary Durstein*

CERTIFICATE OF SERVICE

The undersigned counsel for Plaintiff, Mary Durstein, served the foregoing *Motion for leave to file a supplemental complaint* by electronically filing a copy of the same with the Clerk of the Court using the CM/ECF system on this 17<sup>th</sup> day of March, 2020 to:

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*Counsel for Todd Alexander &  
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If West Virginia law requires serving another section of the Office of the West Virginia Attorney General due to the proposed supplemented count 4, counsel promptly will serve that other section with a copy of this motion, its supporting memorandum, and the proposed supplemental complaint.

/s David Marburger  
David Marburger